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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 7

**Complete if Known**

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/544,150       |
| Filing Date            | August 1, 2005   |
| First Named Inventor   | Francis X. Smith |
| Art Unit               | 1615             |
| Examiner Name          | Carlos A. Azpuru |
| Attorney Docket Number | 3009040 US01     |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM DD YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear <sup>3</sup> |
|--------------------|-----------------------|---|--------------------------------|--|--|
|                    | 1                     | US- 1,432,345   | 10-17-1922                     | W. W. Lasker                                       |  |
|                    | 2                     | US- 2,976,576   | 03-25-1961                     | O. Wichterle et al.                                |  |
|                    | 3                     | US- 3,426,576   | 02-25-1969                     | Dickinson et al.                                   |  |
|                    | 4                     | US- 3,429,576   | 02-25-1969                     | Yoshiaki Ikeda                                     |  |
|                    | 5                     | US- 3,503,393   | 03-31-1970                     | R. E. Manley                                       |  |
|                    | 6                     | US- 3,591,329   | 07-06-1971                     | Chromcek et al.                                    |  |
|                    | 7                     | US- 3,689,673   | 09-05-1972                     | Phares, Jr.  |  |
|                    | 8                     | US- 3,755,561   | 08-25-1973                     | Rankin   |  |
|                    | 9                     | US- 3,873,696   | 03-25-1975                     | Randori et al.                                     |  |
|                    | 10                    | US- 3,876,765   | 04-06-1975                     | Blank  |  |
|                    | 11                    | US- 3,888,782   | 06-10-1975                     | Boghossian et al.                                  |  |
|                    | 12                    | US- 3,910,296   | 10-07-1975                     | Karageocian et al.                                 |  |
|                    | 13                    | US- 3,911,107   | 10-07-1975                     | Krezanoski   |  |
|                    | 14                    | US- 3,912,450   | 10-14-1975                     | Boucher  |  |
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|                    | 16                    | US- 4,022,834   | 05-10-1977                     | Gundersen  |  |
|                    | 17                    | US- 4,026,817   | 06-14-1977                     | Blanco et al.                                      |  |
|                    | 18                    | US- 4,046,706   | 09-06-1977                     | Krezanoski   |  |
|                    | 19                    | US- 4,136,173   | 01-23-1979                     | Pramoda et al.                                     |  |
|                    | 20                    | US- 4,136,175   | 01-23-1979                     | Rideout et al.                                     |  |

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| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>4</sup> - Number <sup>5</sup> - Kind Code <sup>6</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear <sup>3</sup> | T <sup>7</sup> |
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|                    | 21                    | GB 1,398,058   | 03-15-1973                     | Farmaceutisk                                       |   |                |
|                    | 22                    | JP 58010517 A  | 01-21-1983                     | Santen Pharmaceutical                              |   |                |
|                    | 23                    | WO 91/01763  | 02-21-1991                     | Schering Corp.                                     |   |                |
|                    | 24                    | WO 92/04905  | 04-02-1992                     | Abraham et al.                                     |   |                |
|                    | 25                    | WO 92/11876  | 07-23-1992                     | Schering Corp.                                     |   |                |
|                    | 26                    | WO 92/21049  | 11-26-1992                     | Allergan, Inc.                                     |   |                |
|                    | 27                    | WO 94/00160  | 01-06-1994                     | Allergan, Inc.                                     |   |                |
|                    | 28                    | WO 95/001763   | 01-06-1995                     | Allergan, Inc.                                     |   |                |
|                    | 29                    | WO 96/06603  | 03-07-1996                     | Alcon Laboratories                                 |   |                |

Examiner  
Signature

/Tristan J. Mahyera/

Date  
Considered

12/31/2008

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Sheet 2 of 7

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| Examiner Name          | Carlos A. Azpuru |
| Attorney Docket Number | 3009040 US01     |

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|                    | 30                    | US-4,136,534                               | 01-30-1979                     | Villa  |   |
|                    | 31                    | US-4,209,817                               | 06-24-1980                     | McGinnis   |   |
|                    | 32                    | US-4,354,952                               | 10-19-1982                     | Reidhammer et al.                                  |   |
|                    | 33                    | US-4,361,458                               | 11-30-1982                     | Gragok et al.                                      |   |
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|                    | 36                    | US-4,394,381                               | 07-19-1983                     | Sherill  |   |
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|                    | 47                    | US-4,853,590                               | 09-05-1989                     | Pollock et al.                                     |   |
|                    | 48                    | US-4,891,423                               | 01-02-1990                     | Stockel  |   |
|                    | 49                    | US-4,804,454                               | 01-16-1990                     | Paradies   |   |

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|--------------------|-----------------------|---|--------------------------------|---|--|----------------|
|                    |                       | Country Code <sup>2</sup> - Number <sup>2</sup> - Kind Code <sup>2</sup> (if known) |                                |   |  |                |
|                    | 50                    | WO 97/34834   | 09-25-1997                     | Bio-Lab, Inc.   |  |                |
|                    | 51                    | WO 97/41215   | 11-06-1997                     | Novo Nordisk A/S                                      |  |                |
|                    | 52                    | EP 0 812 592 A1   | 12-17-1997                     | Kikkoman Corp   |  |                |
|                    | 53                    | JP 10-106889  | 04-28-1998                     | Tomey Technol Corp                                    |  | T              |
|                    | 54                    | RU 2127100  | 03-10-1999                     | Borzenko et al.                                       |  | T              |
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|                    | 57                    | JP 2000016965 A   | 01-18-2000                     | Mitsubishi Gas  |  |                |
|                    | 58                    | WO 00/07834   | 02-17-2000                     | NDT, Inc.   |  |                |

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/Tristan J. Mahyera/

Date  
Considered

12/31/2008

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbol(s) as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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| Sheet | 3 | of | 7 |
|-------|---|----|---|

*Complete if Known*

|                        |                  |
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| Application Number     | 10/544,150       |
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| First Named Inventor   | Francis X. Smith |
| Art Unit               | 1615             |
| Examiner Name          | Carlos A. Azpuru |
| Attorney Docket Number | 3009040 US01     |

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|---------------------|-----------------------|--|--------------------------------|--|---|
|                     |                       | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
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|                     | 62                    | US- 5,078,908                              | 01-07-1992                     | Ripley et al.                                      |   |
|                     | 63                    | US- 5,089,261                              | 02-15-1992                     | Nitcki et al.                                      |   |
|                     | 64                    | US- 5,122,354                              | 06-16-1992                     | Tsuji et al.                                       |   |
|                     | 65                    | US- 5,174,572                              | 12-29-1992                     | Scott  |   |
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|                     | 67                    | US- 5,182,258                              | 01-26-1993                     | Chiu   |   |
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|                     | 69                    | US- 5,279,673                              | 01-18-1994                     | Dziabo et al.                                      |   |
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|                     | 71                    | US- 5,306,440                              | 04-26-1994                     | Ripley et al.                                      |   |
|                     | 72                    | US- 5,361,287                              | 11-01-1994                     | Williamson   |   |
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|                     | 74                    | US- 5,439,572                              | 06-06-1995                     | Pankow   |   |
|                     | 75                    | US- 5,448,658                              | 09-12-1995                     | Unhoch et al.                                      |   |
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| Examiner<br>Signature | /Tristan J. Mahyera/ | Date<br>Considered | 12/31/2008 |
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\*17:AMEND: Inhibit if reference considered, whether or not *in situ* is in conformance with MPPE 609. Draw line through citation if not in conformance and not considered. Include entry of this form with next communication to applicant. \* Applicant's unique citation designation number (optional). \* See Kind: Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPPE 901.04 \* Enter Office that issued the document, by the two-letter code (WIPO Standard S1.3). \* For Japanese patent documents, the indication of the year of the grant of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \* Applicant is to place a check mark here if English language translation is applied.

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| Sheet | 4 | of | 7 |
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| Application Number | 10/544,150 |
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| First Named Inventor | Francis X. Smith |
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| Art Unit | 1615 |
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|---------------|------------------|

|                        |              |
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| Attorney Docket Number | 3009040 US01 |
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|------------------------|-------------|--------------------------------|--------------------------------|--|---|
|                        |             | Number - Kind Code* (if known) |                                |  |   |
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|                        | 89          | US- 5,741,817                  | 04-21-1998                     | Chowhan et al.                                     |   |
|                        | 90          | US- 5,770,882                  | 06-23-1998                     | von Borstel et al.                                 |   |
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|                        | 97          | US- 5,891,733                  | 04-06-1999                     | Inoue  |   |
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7. EXAMINER. Include only reference considered, whether or not citation is in conformance with MPPIP 009. Draw line through citation if not in conformance and not considered. Attach copy of form with text communication to applicant. \* Applicant's unique citation designation number (optional). \*\* See (red) of USPTO Patent Documents at www.uspto.gov or MPPIP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). \* For Japanese patent documents, the indication of the year of the grant of the Emperor must precede the serial number of the patent document. (Code of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

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|                     |                       | Number Kind Code <sup>2</sup> (if known) | MM-DD-YYYY       |  |  |
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|                     | 109                   | US- 6,117,869                            | 08-12-2000       | Picard et al.                                  |  |
|                     | 110                   | US- 6,121,327                            | 08-19-2000       | Tsuzuki et al                                  |  |
|                     | 111                   | US- 6,126,706                            | 10-03-2000       | Matsumoto et al.                               |  |
|                     | 112                   | US- 6,139,646                            | 10-31-2000       | Asgharian et al                                |  |
|                     | 113                   | US- 6,158,563                            | 11-28-2000       | Smith et al.                                   |  |
|                     | 114                   | US- 6,153,568                            | 11-28-2000       | McCarra et al                                  |  |
|                     | 115                   | US- 6,162,393                            | 12-19-2000       | De Bruij et al                                 |  |
|                     | 116                   | US- 6,191,110 B1                         | 02-20-2001       | Jaynes et al                                   |  |
|                     | 117                   | US- 6,306,590 B1                         | 10-30-2001       | Xia et al.                                     |  |
|                     | 118                   | US- 6,306,658 B1                         | 10-30-2001       | Xia et al                                      |  |
|                     | 119                   | US- 6,432,893 B1                         | 08-13-2002       | Doi et al.                                     |  |
|                     | 120                   | US- 6,617,291 B1                         | 09-09-2003       | Smith  |  |

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| Examiner<br>Signature | /Tristan J. Mahyera/ | Date<br>Considered | 12/31/2008 |
|-----------------------|----------------------|--------------------|------------|

1. EXAMINER. Initial of reference considered, whether or not citation is in accordance with MPTIP 607. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov/mpep/901.04](http://www.uspto.gov/mpep/901.04). <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard 53.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the grant of the *Wurapur* must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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| Sheet | 6 | of | 7 |
|-------|---|----|---|

*Complete if Known*

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/544,150       |
| Filing Date            | August 1, 2005   |
| First Named Inventor   | Francis X. Smith |
| Art Unit               | 1615             |
| Examiner Name          | Carlos A. Azpuru |
| Attorney Docket Number | 3009040 US01     |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

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| Examiner<br>Signature | /Tristan J. Mahyera/ | Date<br>Considered | 12/31/2008 |
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 7 of 7

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|                        |                  |
|------------------------|------------------|
| Application Number     | 10/544,150       |
| Filing Date            | August 1, 2005   |
| First Named Inventor   | Francis X. Smith |
| Art Unit               | 1615             |
| Examiner Name          | Carlos A. Azpuru |
| Attorney Docket Number | 3009040 US01     |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials *             | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
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